REMARKS

Entry of this response and reconsideration of the above-referenced application is respectfully requested. Reconsideration and withdrawal of the rejections set forth in the Office Action dated May 31, 2005 are respectfully requested. Applicants petition the Commissioner for a 3-month extension of time. A separate petition accompanies this amendment.

I. Amendments

The specification is amended to recite application information.

Claim 17 is amended to further clarify the coating. Basis for this amendment can be found on page 7, line 36 through page 8, line 7.

Claim 18 is amended to standardize terminology.

No new matter is added by way of these amendments.

II. Rejections under 35 U.S.C. § 102(e)

Claim 17 stands rejected under 35 U.S.C. § 102(e) as allegedly anticipated by Alcime *et al.* (U.S. Patent No. 5,632,772).

A. The Present Invention.

The present invention as recited in claim 17 relates to an expandable device for delivery into a blood vessel carrying blood that includes an expandable support frame having first and second end portions, a porous polymer sleeve having inner and outer surfaces, and a coating comprised of a first layer that provides free amine groups, a linker layer, and a cell adhesion peptide layer.

B. The Cited Reference

ALCIME ET AL. relate to an endothelial graft which is both expandable and supportive and is provided in a form suitable for use in a branched blood vessel location.

C. Analysis

The standard for lack of novelty, that is, for anticipation, is one of strict identity. To anticipate a claim for a patent, a single prior source must contain all its essential elements. M.P.E.P. § 2131.

Alcime *et al.* fail to teach an expandable device having a coating as presently claimed. Instead, Alcime *et al.* teach surface treatments "applied to" the expandable supported graft (see Col. 13, lines 56-58).

As the cited reference fails to teach each of the claimed elements, withdrawal of the rejection of claim 17 under 35 U.S.C. § 102(e) over Alcime *et al.* is respectfully requested.

III. Rejections under 35 U.S.C. § 103(a)

Claim 18 stands rejected under 35 U.S.C. § 103(a) over Alcime *et al.* in view of Bhatnagar (U.S. Patent No. 5,958,428).

Claim 19 stands rejected under 35 U.S.C. § 103(a) over Alcime *et al.* in view of Brown *et al.* (U.S. Patent No. 6,071,305) and further in view of Bhatnagar.

A. The Present Invention is described above.

B. The Cited Documents

ALCIME ET AL. is described above.

BHATNAGAR teaches composites that include a biomaterial having compounds thereon with enhanced cell binding with respect to collagen.

BROWN ET AL. teach a directional drug delivery stent which includes an elongated or tubular member having a cavity containing a biologically active agent.

C. Analysis

According to the M.P.E.P. § 2143.03, "to establish a prima facie case of obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. All words in a claim must be considered in judging the patentability of that claim against the prior art."

1. Rejection of claim 18

The Examiner relies on Alcime *et al.* for allegedly teaching a product recited in claim 18. Bhatnagar is relied on for allegedly disclosing use of spacer arms to facilitate binding of peptides to a substrate. However, Bhatnagar fails to show or suggest a coating having three layers as presently claimed. Instead, Bhatnagar teaches synthetic compounds attached to a porous polymer apparatus. Bhatnagar teaches the cell attaching compound may include "noninterfering moieties or spacer arms" and not a linker layer that is covalently bonded to each of the first layer and the cell adhesion peptide layer.

In view of the above, withdrawal of the rejection of claim 18 under 35 U.S.C. § 103(a) over Alcime *et al.* in view of Bhatnagar is respectfully requested.

2. Rejection of claim 19

The deficiencies of the combination of Alcime *et al.* and Bhatnagar in the teaching of a device as presently claimed is discussed above. Brown *et al.* is relied on for allegedly teaching the use of therapeutic drugs such as heparin or collagen on a stent. Nor does Brown *et al.* provide the missing teaching. Brown *et al.* teach a directional drug delivery stent which includes an elongated or tubular member having a cavity containing a biologically active agent. The biologically active agent is described therein as residing in the cavity and is for directional delivery. Nowhere does Brown make any mention of a polymer sleeve or of a coating as presently claimed.

Accordingly, Applicants respectfully request withdrawal of the rejection of claim 19 under 35 U.S.C. § 103(a) over Alcime *et al.* in view of Brown *et al.* and further in view of Bhatnagar.

IV. Conclusion

In view of the above, Applicants submit that claims 17-19 are in condition for allowance. Therefore, a Notice of Allowance is respectfully requested.

If the Examiner believes a telephone conference would expedite the prosecution of the present application, the Examiner is encouraged to call the undersigned at (650) 838-4410.

Respectfully submitted,

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